

Amendment under 37 C.F.R. § 1.111  
Application No. 10/601,646

**REMARKS**

Claims 1-51 are all the claims pending in the application. Claims 6, 7, 14-24 and 27-50 are withdrawn from consideration on the basis of Applicant's election of species. New claims 52 and 53 are added and are drawn to the elected species of Fig. 32.

***Drawings***

Applicant notes that the Examiner has not yet acknowledged receipt and acceptance of the drawings. Acknowledgment is respectfully requested.

***Claim Rejections - 35 U.S.C. § 102***

**Claims 1-5, 8-15, 25, 26 and 51 are rejected under 35 U.S.C. § 102(b) as being anticipated by Suddarth (3,570,162).** This rejection is traversed for at least the following reasons

The key feature of the elected species of the present invention involves the provision of a second forestock which, when attached to the weapon stock, lies below all operational features of the weapon (including but not limited to the firing assembly, pistol grips and magazines), and is separated significantly below the first forestock in the vertical plane as disclosed at page 3 of the application.

The advantages of this feature are outlined on page 6 of the application as:

- “*The lower second forestock may be used as a direct support in a kneeling or sitting position and also used as the contact surface for the shooter's non-trigger free hand whilst resting the elbow of the free arm on the hip/upper torso for further support*”, and
- “*The prone firing position also benefits from use of the lower second forestock as the free-hand's fingers, palm and clenched or closed fist may be used to provide elevation adjustments as well as weapon support*”.

Applicant respectfully submits that this feature distinguishes the claimed invention over the teachings of Suddarth.

**Suddarth**

The structure described by Suddarth relates to an auxiliary telescopic buttstock. As such it is a space saving device. Its operation depends on the removal of the buttstock from the weapon and attachment of the Suddarth structure.

As shown in figure 1 and figure 2 of Suddarth, the lower forestock, 52, does not lie below the magazine. Indeed, as shown in figure 6 the forestock is offset from the vertical plane in the normal firing position in order that it will clear the magazine.

In contrast Applicant's invention is defined to lie at a depth such that it is below all operational features, including magazines, as shown in figures 2, 16, 20, 33, 36, and 38 of the instant application. Furthermore, as outlined in the specification on page 6 and in each of the figures, it is clear that the second forestock of Applicant's invention lies in the same plane as the barrel, first forestock, and first pistol grip of the weapon. This clearly differentiates Applicant's invention from the forestock of Suddarth.

The main advantage of Applicant's lower forestock is its direct use as a support in the conventional firing positions, including standing, sitting, kneeling and prone positions. This advantage is due to the lower forestock being at a significant depth below the first forestock and the operational features of the weapon, and the lower stock being in the same plane as the first forestock and first pistol grip. In contrast, the lower forestock of Suddarth is relatively close to the first forestock and is offset to one side. Those skilled in the art would appreciate that both these features make it unsuitable for use as a support.

**Claims 1-5, 8-13, 25, 26 and 51 are rejected under 35 U.S.C. § 102(b) as being anticipated by Gabrielidis (4,878,305).** This rejection is traversed for at least the following reasons.

Again, in the amended claims 1 and 26. Applicants have focused on the second forestock lying below the operational features of the weapon. Applicants respectfully submit that this clearly differentiates over Gabrielidis, as outlined in more detail below.

The term "*operational features of the firing assembly*" would be understood by those skilled in the art to include all features related to the firing operation of the weapon. Clearly this includes (at least) the barrel, receiver, trigger and magazine (where fitted), plus any attachments to them which are necessary for firing the weapon (such as additional triggers and associated linkages to the first trigger).

That the second forestock "*extends below all pistol grips and operational features of the firing assembly*" is clearly illustrated by reference to the figures, all of which clearly show that the second forestock does not include any operational features, such as triggers or other attachments to the firing assembly, and extends below all pistol grips and features of the firing assembly.

Additionally, Figures 2, 3, 16, 20, 31, 33, 36 and 38 all show the second forestock lying below the magazine. Moreover, the location of the second forestock below all pistol grips and operational features of the firing assembly is clearly implied by the advantages listed above.

**Gabrielidis**

The structure disclosed by Gabrielidis is an upper firearm and forestock above a conventional stock. The forestock 144 of Gabrielidis provides the conventional uses of a conventional forestock including a trigger and pistol grip below the forestock.

In contrast, Applicant's invention is a conventional stock and firearm with a lower forestock extending below all pistol grips and operational features of the firing assembly. Applicant's invention is an ergometric enhancement of the normal operating positions for firing the weapon, as illustrated in figures 5-18.

The amended claim 1, by limiting the claimed invention to forestocks that lie above all operational features of the weapon, clearly distinguishes our client's invention over Gabrielidis.

The main advantage of Applicant's invention is its use as an additional support in the conventional firing position. This is possible because it lies below all operational features of the weapon. In fact in all embodiments the weapon is still operated and fired in the conventional manner, unlike Gabrielidis' structure.

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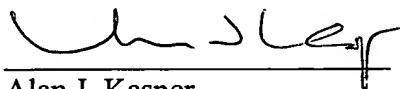
*New Claims*

Applicant has added new claims 52 and 53, which include the additional feature of the lower forestock being in the same plane as the pistol grips and first forestock. The fair basis for this limitation is evident from Figure 32 for the elected species, which clearly indicates through the attachment at the base of the first pistol grip and again at the second pistol grip that the lower forestock lies in the same plane as defined by the first forestock and the first pistol grip. In addition, those skilled in the art would appreciate that any other orientation would impair the stated utility of using the lower forestock as a support in the conventional firing positions.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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